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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/531,569

04/18/2005

Tao Zhang

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7590

07/30/2010

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EXAMINER

SHIFERAW, ELENI A

ART UNIT

PAPER NUMBER

2436

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/531,569	Applicant(s) ZHANG ET AL.	
	Examiner ELENI A. SHIFERAW	Art Unit 2436	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/26/2010 pre-appeal.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>08/10/2006 & 04/18/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the Pre-Appeal Brief filed on 06/01/2010, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

Information Disclosure Statement

2. The IDS submitted on 04/18/2005 and 08/10/2006 have been considered and initialized copy attached herein.
3. Claims 1-5 and 7-10 are pending.
4. The examiner verifies that all claims pending currently have no 101 problems.

Claim Objections

5. Claims 4, 8 and 10 are objected to: on line 2 of claim 4 it is recited "said data package" that lacks antecedent basis to "a security data package" of line 2 of claim 1. It is suggested that "said data package" of claim 4 changed to "said security data package for proper antecedent basis. Claims 8 and 10 recite same problem and appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. **Claims 1-5 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Network Working group, RFC 3015, Megaco protocol Version 1.0, November 2000, herein after [Cuervo et al.] in view of Matsuzaki et al. USPN 6058476.**

Regarding claims 1, 7 and 9, Cuervo et al. teaches authentication method for network security (see sec. 10.1-10.2; **The AH header defined within H.248 protocol affording data origin authentication, integrity, anti-replay message protection between MG and MGC, ... ESP header providing confidentiality of messages ... AH algorithm for integrity checking between MG and MGC**), comprising the following steps:

configuring a Media Gateway (MG) with an authentication key [see sec. 10.3; **the protocol. Allowing the MGC to provide and configure session key to MG**] and setting a security data package on a network protocol, by a Media Gateway Controller (MGC) [see sec. 7 and 10; **the MG's plurality of security packets are set by MGC**];

during a security authentication, sending by the MGC a security authentication request [see sec. 10.1; **the MGC requesting an ESP encryption service to MG for integrity checking and for spoofing protection**] containing a security authentication parameter to the MG using the data package [see par. 10.2; **the request message is using an AH header defined within IPSec implemented H.248 protocol and the header containing integrity check value parameter "ICV" to prevent spoofing and enhance integrity between the MG and MGC during authentication**];

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performing an encryption calculation according to the authentication key [see 10.2-10.3; **encryption authentication is requested by MGC and the MG performing encryption according to the request and configured key**] and reporting to the MGC, by the MG [see 8.2; **the MGC is expecting and receiving a response to every request**]; and

determining by the MGC whether the MG is legal by the MGC [sec. 10; **the MGC checks the integrity of the MG using the encrypted messages exchanged ... ICV is used for integrity checking**].

Cuervo teaches requesting encryption authentication by MGC and the MG performing encryption according to the request [see 10.2-10.3] but does not specifically explain performing encryption according to the security authentication parameter/ICV and reporting a calculation result to the MGC; and determining by the MGC whether the MG is legal by comparing the calculation result with a result calculated by the MGC.

However, Matsuzaki et al. teaches performing encryption is according to the security authentication parameter [see col. 12 lines 28-41; **first encryption IC 54 of the first device encrypting 'see fig. 3 $E(S, C_2)$ ' according to received security parameter "R2R4" of C2 and received key "S" 'see fig. 3 $C_2 = D(S, R_2R_4)$ '**] and reporting a calculation result to the MGC [see col. 12 lines 28-35 and fig. 3; **First device transmitting the calculated RR2 to the Second device**]; and determining by the second device whether the first device is legal by comparing the calculation result with a result calculated by the second device [see col. 12 lines 36-41 and fig. 3; **the received RR2 is matched with the RR2 generated by MPU 55 of the Second device and legitimacy is verified if match**].

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Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify Cuervo et al. to authenticate legal MG utilizing the method of Matsuzaki that authenticate the legitimacy of the first device by a second device.

Regarding claim 2, Cuervo et al. teaches the authentication method for network security, wherein said network protocol is Media Gateway Control Protocol (MGCP) **[see sec. 10.2 and abstract on page 1]**.

Regarding claim 3, Cuervo et al. teaches the authentication method for network security, wherein said network protocol is H248 protocol **[see sec. 10.2 and abstract on page 1; H.248 protocol]**.

Regarding claims 4, 8 and 10 the combination teaches the authentication method for network security, wherein said data package comprises a security authentication request signal **[see Cuervo sec. 10.1; the MGC requesting an ESP encryption service to MG for integrity checking and for spoofing protection]** and a security authentication completion event **[see Matsuzaki et al. col. 13 lines 6-36; cj and also see Cuervo Appendix C]**, said security authentication request signal comprises a security authentication parameter **[fig. 3 of Matsuzaki et al. random number]**, and said security authentication completion event comprises a security authentication result parameter **[see cj on fig. 3 of Matsuzaki et al. upon receiving cj the first and second device are completing authentication and verifying trust then exchange**

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messages]; and wherein the step of reporting a calculation result includes reporting by the MG the calculation result to the MGC via a security authentication completion event in a data package [see **cj, RR2, RR1 on fig. 3 of Matsuzaki et al. and Cuervo sec. 10**].

Regarding claim 5 Matsuzaki et al. teaches an authentication method for network security, wherein the security authentication parameter is a random number [see **fig. 3; 64 and 32 bits random numbers**]. It would have been obvious to use random number security authentication parameter to provide RANDOMIZED AUTHENTICAITON, at the time of the invention was made.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELENI A. SHIFERAW whose telephone number is (571)272-3867. The examiner can normally be reached on Mon-Fri 6:00am-2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser R. Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eleni A Shiferaw/

Primary Examiner, Art Unit 2436

/Emmanuel L. Moise/

Supervisory Patent Examiner, Art Unit 2437